

Appl. No. 09/744,271
Atty. Docket No. AA333
Amdt. dated May 10, 2004
Reply to Office Action of November 12, 2003
Paper No. 15
Customer No. 27752

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Application No. : 09/744,271
Applicant(s) : Takashi Sako et al.
Filed : January 22, 2001
Title : Hair Conditioning Compositions Comprising Carboxylic
Acid/Carboxylate Copolymer and Amphoteric
Conditioning Agent
TC/A.U. : 1617
Examiner : Edward J. Webman
Conf. No. : 5065
Docket No. : AA333
Customer No. : 27752

REPLY AFTER 2nd OFFICE ACTION UNDER 37 CFR §1.111(b)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY REMARKS

In response to the Office Action of 11/12/2003, the time for response being extended by three (3) months, pursuant to the fee charged to the Assignee's Deposit Account in the papers submitted herewith, please consider the following remarks and reconsider the application. Attached hereto is a Petition for a 3-Month Extension of Time, and the fee required under 37 CFR §1.17(a), providing for a timely response up to and including 05/12/2004.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

Fee Purpose Only

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acrylate/C10-C30 alkyl acrylate crosspolymer and is commercially available under the tradenames Pemulen TR-1, Pemulen TR-2, Carbopol 1342, Carbopol 1382 and Carbopol ETD 2020, all available from Noveon (formerly from B.F. Goodrich). One of skill in the art would readily understand that selection of any of these provided acrylate acid/carboxylate copolymers, under the Acrylate/C10-C30 alkyl acrylate crosspolymer in the CFTA, would meet the Claim 1 (1) requirements.

Further support to one of skill in the art, with regard to enabling one of skill in the art to make and/or use the invention can be found in the Examples. Applicants would like to direct the Examiner's attention to Examples 1-6 and Examples 7-12, wherein examples are provided wherein the acrylic acid/alkyl acrylate copolymer is PEMULEN TR-1 and further examples are provided wherein the acrylic acid/alkyl acrylate copolymer is PEMULEN TR-2 (please see "Definition of Components" Footnote 1 and Footnote 2 on page 55).

Such examples provide adequate and clear support to one of skill in the art to further enable one to make and/or use the invention using the commercially available acrylic acid/alkyl acrylate copolymers, listed in the CFTA.

The Examples provide further support and enablement for each of the possible components of the composition, as listed on pages 55 and 56. Support and enablement for the method of preparation for the hair conditioning composition, per se, is found in the specification on page 57- lines 1-22, wherein experimental conditions are clearly defined, such as temperature.

Applicants believe, based on the remarks above, that the acrylic acid/alkyl acrylate copolymer of claim 1 (1) in the present invention is clearly described and supported in the specification, including the examples, in such a way as to enable one skilled in the art to make and/or use the invention. Applicants kindly request reconsideration.

Conclusions

Applicants have made an earnest effort to place their application in proper form and distinguish their claimed invention from the prior art which was applied in the November 12, 2003 Office Action. WHEREFORE, consideration of this application, withdrawal of the rejections under 35 U.S.C § 112, first paragraph and allowance of Claims 1-10 are respectfully requested.

Respectfully submitted,

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